



Senator Don Carlson

2003 SESSION E-UPDATE FROM OLYMPIA

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Senate committee assignments: Higher Education,
chair; Children and Family Services and Corrections;
Education

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Dear Friends,

Greetings from Olympia. The Legislature is completing its sixth week of the scheduled 105-day session. I'm still spending much of my time in committee hearings and occasional Senate floor sessions, as well as meetings with other legislators, lobbyists and constituents. This will continue to be my daily routine for the next two weeks until we reach the cutoff deadline for bills to be approved by their committee of origin. After that, the Senate will spend more time in floor action as we consider those bills that have survived the first committee cutoff.

I appreciate receiving your comments and feedbacks on the issues mentioned in my previous e-updates. One of the several reasons why I began sending updates via e-mail was to make it easier and faster for readers to respond. I'm glad to see that so many of you are doing just that. I look forward to receiving additional comments as session moves along.

As always, please contact my office with any concerns or questions. If you don't want to receive these e-mail updates, please let me know. My legislative e-mail address is Carlson_do@leg.wa.gov, and my Olympia office phone number is (360) 786-7696. If you want to visit me in Olympia, my office address is 102 Irv Newhouse Building on the Capitol Campus. If you want to contact me via snail mail, my address is PO Box 40449, Olympia, WA 98504-0449. It is a pleasure and honor to serve you.

Sincerely,

Sen. Don Carlson, 49th Legislative District

49th District town hall meeting set for March 22. Reps. Bill Fromhold and Jim Moeller and I are hosting a town hall meeting on Saturday, March 22. The meeting begins at 10 a.m. in the community room of the ESD 112 building, located at 2500 NE 65th Ave. in Vancouver. We'll discuss the issues now before the Legislature, and we'll answer questions and receive comments from those who attend. This public forum is a great way for you to tell us your thoughts and concerns about the state budget deficit, transportation, health care, education and other important issues facing Washington.

Update on my bills. I'm glad to report that several of my bills are moving through the legislative process. Here is a rundown on some of my proposals:

SB 5134 -- On Feb. 14, the Senate voted 48-0 to approve my measure to make permanent the border county higher education program that was created in 1999. Under this program, Washington residents who live in Pacific, Wahkiakum, Cowlitz, Clark, Skamania, Klickitat, Benton, Walla Walla, Columbia, Garfield and Asotin counties may attend any Oregon community college at resident tuition fees. Portland State University and the Oregon Institute of Technology may enroll Washington residents for up to eight credits at resident tuition rates. All students attending Eastern Oregon University pay the same tuition, regardless of residency. Other higher education leaders agree with me that a regional approach to higher education access and tuition is important. SB 5134 has been sent to the House for consideration.

SB 5135 – The “lingering college students” bill received a public hearing in the Senate Ways and Means Committee this week after recently passing in the Senate Higher Education Committee. This measure requires college students who accumulate 120 percent or more of their credits needed to graduate – but still haven't managed to finish their degree requirements – to pay the entire cost of their continuing education. The bill's goal is to encourage students to finish their studies as close as possible to four years instead of taking up to six or more years. By doing this, it should help create more enrollment space in our colleges and universities at a time when some schools have to turn away students due to overenrollment.

SB 5138 – This measure authorizes the use of the Washington Assessment of Student Learning (WASL) for qualifying for the state's Promise Scholarship and other purposes. This bill received a public hearing in the Senate Education Committee last week, and I'm optimistic that the committee will approve it.

SSB 5142 – This proposal permits the children of certified and classified school employees to enroll at the school where the employee is assigned or at another school within the school district where such employees work. By allowing children to attend the school where their parents work, teachers and staff will no longer have to split their time and energy between two different schools. The bill would be an incentive for teachers to stay in our state instead of going elsewhere because they will have an increased commitment to the school where they work

and where their kids attend classes. The Education Committee passed the bill this week.

SB 5133 – This measure adopts the revised interstate compact for juveniles. The compact has been in our state law since 1955. Each state in the compact is responsible for the proper supervision or return of juveniles, delinquents, and offenders who are on probation or parole and who have escaped or run away from supervision and in doing so have endangered their own safety and the safety of others. Each state is responsible for the safe return of juveniles who have run away from home and in doing so have left their state of residence. This measure allows Washington to be involved in revising the rules related to interstate supervision, training, transfers and other issues. The measure was approved by the Senate Children and Family Services and Corrections Committee last week. The bill was amended by the committee to clarify limits on the compact's impact on the state's ability to legislate regarding juveniles, and to require the governor to select the compact administrator from a list provided by the Juvenile Court Administrators.

SSB 5140 – This bill deals with using revenues under the county conservation futures levy. The conservation futures tax is a local option property tax assessed at the county level, at a maximum rate of \$6.25 cents per \$1,000 of assessed value. Revenue from the tax may be used to purchase or acquire development rights for open space lands, agricultural lands and timberlands. Thirteen counties currently levy this tax. Under this measure, the maximum rate of the conservation futures levy would rise to 10 cents. Up to 25 percent of conservation futures revenues may be used for operation and maintenance of property acquired through the conservation futures program. In fast-growing counties like Clark, conservation futures funds allow counties to make an investment in future quality of life by purchasing open space land while it is still available. Counties need flexibility to either purchase land if needed, or to use a portion of the funds to maintain the land already purchased. This bill received supporting testimony from Clark County's Sharon Wylie and the City of Vancouver's Mark Brown. It was approved by the Senate Parks, Fish and Wildlife Committee this week.

SJR 8215 – This joint resolution proposes an amendment to the state constitution to provide for a simple majority of voters voting to authorize school district levies. Under current law, school district levies must be passed with a 60 percent supermajority. This proposal, if approved by the Legislature, would then go before Washington voters since changes to the state constitution require voter approval. I support the idea of having both bonds and school levies decided by a simple majority instead of a supermajority, but I'd be happy with one or the other happening. This proposal is in the Education Committee.

Senate passes bill that makes state ergonomics rules voluntary. Instead of imposing costly rules on Washington's employers, the Senate this week voted 30-19 to approve a measure supporting business efforts to prevent injuries that

may result from repetitive tasks. I voted for this measure. **SB 5161** has four main components:

- an ergonomics resource center to help employers with training and technical assistance to prevent ergonomic injuries;
- a clearinghouse for sharing proven methods of injury prevention;
- a state ergonomics ombudsman; and
- a small business ergonomics task force.

In addition, until Congress or the federal Occupational Safety and Health Administration puts in place national standards concerning ergonomics injury prevention, compliance with the state Department of Labor and Industries' ergonomics rules is voluntary. This bill is now before the House of Representatives. Last week, Gov. Locke directed L&I to set up a task force to help small businesses comply with the ergonomics rules, and review whether they can afford to comply.

Proposal introduced to help seniors and disabled persons with the high cost of prescription drugs. I'm one of 24 senators sponsoring a measure to help low-income elderly and disabled citizens get the medications they need. **SB 5904** creates four programs:

- ◆ *A Medicaid senior prescription drug program for residents 65 and older with a family income up to 150 percent of the Federal Poverty Level (FPL) by way of a federal waiver.*
- ◆ *A prescription drug discount program, which requires the Health Care Authority to negotiate lower prices for drugs purchased by any enrolled Washington resident 55 and older or disabled, with a family income up to 250 percent of the federal poverty level.*
- ◆ *A pharmacy connection program through the Health Care Authority that provides information about, and helps eligible residents enroll in, manufacturer-sponsored assistance programs.*
- ◆ *Senior prescription drug information and training programs, which would encourage each of the state's 13 Area Agencies on Aging to implement a program to educate seniors on safe and appropriate drug use. This section of the bill is modeled after a successful program initiated in Yakima County.*

Senate moves forward with bills to improve state's business climate. Last week, the Senate passed three important bills to cut the government red tape that makes the creation of new jobs difficult for employers, especially small employers who provide over 70 percent of the jobs in Washington.

SB 5255 limits the rule-making authority of agencies to specific grants of authority by the Legislature. **SB 5256** requires that a cost-benefits analysis be completed early in the rule-making process and must be part of the rule-making debate. **SB 5257** requires the governor to approve all new rules adopted by agencies that have directors appointed by the governor. All three of these measures passed with at least eight Democrat votes and are now before the House of Representatives. These three proposals are part of our efforts to improve Washington's business climate and economy so more jobs are created.

Various transportation accountability and efficiency bills being introduced.

Since the start of session, a handful of transportation accountability and efficiency bills have been introduced in the Senate and House. Recently, a group of Senate Republican and Democrats on the Senate Highways and Transportation Committee unveiled such a proposal. **SB 5748** establishes performance audits for the Department of Transportation. Supporters hope such efforts will uncover regulations that add unnecessary costs to a project. The measure creates a Transportation Performance Audit Board which includes House and Senate transportation committee leaders and four citizens with expertise in delivering transportation services. The citizen members are nominated by professional associations and appointed by the governor for four-year terms.

Providing constitutional protection for the state's blanket primary.

Washington is the only state using a primary election system that allows citizens to vote for any candidate regardless of party affiliation. When California's blanket primary was struck down by the United States Supreme Court in 2000, Washington's major political parties sought to have Washington's blanket primary ruled unconstitutional. Our primary system was upheld in federal court, but the decision was appealed to the Ninth Circuit Court of Appeals where oral arguments were heard early this month. **SJR 8210** is an amendment to the Washington State Constitution protecting Washington's blanket primary system. The measure requires a two-thirds vote of the Legislature and majority vote of the people.

Retire-rehire law might be changed. In 2001, the Legislature enacted a new law allowing government retirees to return to their jobs and collect both a paycheck and pension. The law was created primarily as a way to help schools fill teacher shortages by bringing back skilled retirees. But since the law was passed, there have been concerns that some retirees are misusing the law by retiring and then promptly being rehired to the same job. As a result, at least seven different bills have been introduced this session to toughen the rehire rules. Most of the proposals would increase to 60 or 90 days the period that employees must be gone from government service before they can be rehired. There can be no verbal or written agreement to return to work under the retire-rehire legislation. If a bill modifying the retire-rehire law is passed by the Legislature this year, there will be a likely limit of time a person may be rehired to a total of around 2,400 hours or about five full years.

House introduces bill to lower fees for small trailers. There is a measure (HB 1452) in the House this session that would lower vehicle registration fees for trailers under 1,500 pounds. The bill is in the House Transportation Committee. Trailers under this weight would be exempt from paying the \$30 vehicle registration fee and local licensing fees. It would require owners to pay a registration fee based on the weight of the trailer. The fee schedule would be as follows: Under 200 pounds – no fee; 200-499 pounds -- \$5; 500-999 pounds -- \$10; 1,000-1,499 pounds -- \$20